

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**August 15, 2005**

### DIVISION THREE

B174691 Business To Business Markets, Inc., et al. (Not for Publication)  
v.  
Kshema Technologies Ltd.

The trial court judgment based upon the grant of summary/judgment adjudication in favor of Kshema is reversed in part and affirmed in part. The matter is remanded to the trial court for further proceedings consistent with this opinion. The trial court order sustaining Kshema's demurer and dismissing Kohan from the action with prejudice is affirmed. Each party to bear its own costs on appeal.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

## DIVISION FOUR

B174350 People (Not for Publication)  
v.  
Mudica, Gefrerer and Monk

The judgments are affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Curry, J.



August 15, 2005 (Continued)

## DIVISION FOUR (Continued)

B178382 People (Not for Publication)  
v.  
Cricks

The judgment is affirmed.

Epstein, P.J.

We concur: Curry, J.  
Willhite, J.

B180269 People (Not for Publication)  
v.  
Reed

The order is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Curry, J.

## DIVISION FIVE

B180780      People      (Not for Publication)  
v.  
Troy Ward

The judgment is affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                      Kriegler, J.

## DIVISION SIX

B173687 People v. Hodges (Not for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B169667 M&H Glass Enterprises (Not for Publication)  
v.  
Ronald T. Tischler, etc.

That portion of the judgment establishing an express easement by virtue of the Prudential deed is reversed. That portion of the judgment establishing an express easement conveyed by the Waitsman deed (reciprocal easement grant deed) is affirmed. That portion of the judgment establishing an equitable servitude is reversed. The judgment is otherwise affirmed. Costs on appeal are awarded to respondents.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B178329 Garcia et al. (Certified for Publication)  
v.  
Board of Turstees of the California  
State University et al.

The judgment is affirmed. Costs on appeal are awarded to respondents.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

August 15, 2005 (Continued)

## DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

B181108 People v. Landy (Not for Publication)

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The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

## DIVISION SEVEN

B177273      Herrmann  
v.  
Bottini

Filed order denying petition for rehearing.

DIVISION EIGHT

B170343      Los Angeles County, D.C.S.      (Certified for Publication)  
v.  
Joshua S. et al.

The order terminating jurisdiction is reversed. The children shall have 120 days from the date of remittitur to file section 388 petition to modify the permanent placement order from legal guardianship to long-term foster care with grandmother for the purpose of making the children eligible for AFDC-FC payments. During those 120 days, counsel for the children is directed to make all reasonable efforts to interview the children to ascertain their wishes and to obtain any other evidence that might bear on the petition. If counsel for the children notifies the juvenile court that it is not in the children's best interests to file such a petition, or if no such petition is filed within 120 days of the remittitur, the trial court is authorized to terminate jurisdiction.

Rubin, J.

We concur:    Cooper, P.J.  
                     Boland, J.

B176666      Sears, Roebuck & Company      (Certified for Publication)  
v.  
National Union Fire Ins. Company Of Pittsburgh  
Geoffrey Mousseau

For the reasons set forth above, the appeal is dismissed insofar as it relates to the denial of Mousseau's peremptory challenge to the discovery referee and to the April 8, 2004, order awarding Sears discovery sanctions of \$9,646. The March 5, 2004, order granting Sears' motion to compel discovery and ordering Mousseau to pay discovery sanctions of \$12,472.60 is affirmed. Respondents to recover its costs on appeal.

Rubin, J.

We concur:    Cooper, P.J.  
                     Boland, J.

August 15, 2005 (Continued)

## DIVISION EIGHT (Continued)

B177113 People (Not for Publication)  
v.  
Arellano

The order is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.

B177113      People                          (Not for Publication)  
v.  
Arellano

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The judgment is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.

[illegible]

For reasons set forth above, the judgment is affirmed. Respondent Hartt to recover her costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.

August 15, 2005 (Continued)

DIVISION EIGHT (Continued)

B173591      People v. Donna Navarro    (Certified for Publication)  
B175513      Edward Navarro v. S.C.L.A., The People

For the reasons set forth above, the judgment as to Donna Navarro is affirmed. Edward Navarro's petition for a writ of prohibition or mandate is denied, our order to show cause is discharged, and the stay of proceedings in his case is lifted.

Rubin, J.

We concur:    Cooper, P.J.  
                     Boland, J.